



City of Marietta

Meeting Minutes

COMMITTEE OF THE WHOLE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Betty Lou Hunter, Ward 1
M. C. (Pete) Waldrep, Jr., Ward 2
John V. Sinclair, Ward 3
G. A. (Andy) Morris, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, February 7, 2005

5:15 PM

4th Floor Conference Room

Presiding: William B. Dunaway

Present: M. C. "Pete" Waldrep, Jr., John Vincent Sinclair, G. A. "Andy" Morris, Rev. Anthony Coleman, James W. King and Philip M. Goldstein

Absent: Betty Lou Hunter

Also Present:

William F. Bruton, Jr., City Manager

Douglas R. Haynie, City Attorney

Shelia R. Hill, City Clerk

CALL TO ORDER:

Chairman William B. Dunaway called the meeting to order at 5:16 p.m.

MINUTES:

20050030 Regular Meeting - January 10, 2005

Review and approval of the January 10, 2005 regular meeting minutes.

A motion was made by Council member Waldrep, seconded by Council member Sinclair, that this matter be Approved. The motion carried by the following vote:

Vote: 5 - 0 - 0

Approved

Absent: 1 - James W. King

20050134 Executive Session - January 10, 2005

Review and approval of the January 10, 2005 Executive Session minutes.

A motion was made by Council member Goldstein, seconded by Council member Morris, that this matter be Approved. The motion carried by the following vote:

Vote: 5 - 0 - 0

Approved

Absent: 1 - James W. King

BUSINESS:

20050048 Appointed Officials' Performance and Compensation Review

Review of certain appointed officials' performance and compensation.

This matter was Referred to the PERSONNEL/INSURANCE COMMITTEE, due back on February 24, 2005. The motion carried.

20050054 Traffic Counts at Chesterfield and Carriage Oaks Drive

Report on traffic counts for the intersection of Chesterfield Place and Carriage Oaks Drive.

Public Works Director Greg Teague explained that the committee requested staff to bring forward for discussion a report on the traffic counts at the intersection of Chesterfield Place and Carriage Oaks Drive. Mr. Teague stated that in a 24-hour period there were 330 vehicle approaches from the south, 221 from the north and 436 from Chesterfield Place. The traffic counts that were recorded would indicate that this intersection would not meet the traffic volume warrant conditions listed by the Manual on Uniform Traffic Control Devices for an all-way stop. Currently, this intersection was being controlled with one side street stop sign.

Motion to approve the installation of an All Way Stop at the intersection of Chesterfield and Carriage Oaks Drive.

A motion was made by Council member Morris, seconded by Council member Coleman, that this matter be Recommended for Approval as Stipulated - Consent Agenda. The motion carried by the following vote:

Vote: 4 - 1 - 0

**Recommended for Approval as Stipulated -
Consent Agenda**

Vote Against: 1 - Philip M. Goldstein

Absent: 1 - James W. King

20050056 Review of Future Transportation Improvement Projects

Continuation of discussion regarding T.I.P. proposal.

Greg Teague presented a listing of several potential transportation improvement projects for review by the committee. This list was developed from a compilation of recommended projects from various planning studies such as Envision Marietta and the Delk Road/Franklin Road LCI along with other projects that have been identified by staff as potential projects. This matter would be discussed at the next committee meeting and suggestions would assist staff in developing the transportation element of the City's Comprehensive Plan.

This matter was Discussed.

20050066 Underground Utility Variance request

Additional information regarding an Underground Utility Variance request from Cobb County Department of Transportation on Fairground Street.

Greg Teague explained that the Public Works Department has received a request from the Cobb County Department of Transportation regarding the requirement that all new installations of utility lines in the City of Marietta be placed underground. Cobb County wishes to supply a new cable feed to the Cobb County Transit Facility. The Georgia Department of Transportation has approved the crossing of SR 120; however, four spans are needed to connect to the existing cable on Fairground Street. Staff has verified that no new crossings would be added. There would be one new wire added to the existing crossings.

Discussion was held.

Motion to move forward to the regular meeting agenda of City Council the approval of the Cobb County Department of Transportation's request for an Underground Utility Variance on Fairground Street, contingent upon written agreement from Comcast that the facilities will be relocated underground, at Comcast's expense, at the time that the other utilities on these poles are relocated underground.

A motion was made by Council member Goldstein, seconded by Council member Waldrep, that this matter be Recommended for Approval as Stipulated - Consent Agenda. The motion carried by the following vote:

Vote: 5 - 1 - 0

**Recommended for Approval as Stipulated -
Consent Agenda**

Vote Against: 1 - G. A. "Andy" Morris

20050121 Manget Project Budget Amendment

Ordinance amending the budget to include purchased property for the Manget Project.

This matter was added to the consent agenda with staff direction to make an agenda notation showing Council members Coleman and King as voting against this matter.

A motion was made by Council member Sinclair, seconded by Council member Waldrep, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 5 - 1 - 0

Recommended for Approval - Consent Agenda

Vote Against: 1 - Rev. Anthony Coleman

20050074 Request for closure of Dobb Street from Root Street to Church Street

Further discussion to seek guidance from Council regarding the request from Marietta First Baptist Church to close the portion of Dobbs Street between Root Street and Church Street.

Greg Teague presented an aerial photo regarding the request from C. Gregory DeLoach, Senior Pastor at Marietta First Baptist Church, to close and abandon the right of way of the portion of Dobbs Street between Root Street and Church Street. City records do not indicate any water or sewer lines located in this section of right of way.

The church wanted to exchange the abandoned portion of Dobbs Street for property that would allow the city to widen Hanson Street. The closure would solve several safety issues on Dobbs Street where pedestrians travel frequently. It would also create a more pleasant area behind the businesses on the square.

Discussion was held regarding the square footage of the properties to be exchanged and whether they were equal. Also discussed was the exact route to be taken by parents picking up children from the church daycare if the request was granted.

Motion to move this matter forward to the regular council meeting agenda to authorize advertisement for a public hearing.

Further discussion was held.

A motion was made by Council member Morris, seconded by Council member Waldrep, that this matter be Matter Failed to Move Forward. The motion failed by the following vote:

Vote: 2 - 3 - 1

Matter Failed to Move Forward

Vote Against: 3 - Rev. Anthony Coleman, James W. King and Philip M. Goldstein
Abstain: 1 - John Vincent Sinclair

20050128 BLW Report

Councilman Jim King reports on the actions of the BLW Board meeting of February 7, 2005.

Council member King reported on the actions of the Board of Lights and Water at their February 7, 2005 regular meeting. Finance Director Monte Vavra reported on the BLW finance statements. (See the February 7, 2005 regular Board of Lights and Water meeting minutes for details.)

This matter was Reported.

20050138 Executive Session

Executive Session to discuss real estate, legal, and/or personnel matters.

A motion was made in open session by Council member King, seconded by Council member Goldstein, to enter an Executive Session to discuss legal and/or real estate matters. The motion carried by the following vote:

Vote: 5 - 0 - 0

Approved

For: M. C. "Pete" Waldrep, Jr., Johnny Sinclair, G. A. "Andy" Morris, James W. King and Philip M. Goldstein

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).

A motion was made in open session by Council member Goldstein, seconded by Council member King, to close the Executive Session. The motion carried by the following vote:

Vote: 4 - 0 - 0

Approved

For: G. A. "Andy" Morris, Rev. Anthony Coleman, James W. King and Philip M. Goldstein

Absent: M. C. "Pete" Waldrep, Jr. and Johnny Sinclair

20050129 Review of the "Draft" Agenda

Review of the "draft" agenda for Wednesday, February 9, 2005.

The draft agenda was discussed and the following amendments were made:

- under Minutes: agenda item 20050069 was added to the consent agenda for approval.

- under City Council Appointments: agenda item 20041409 was added to the consent agenda for approval.

- under Ordinances: agenda item 20041488 was held until the March regular meeting at the request of the applicant.

- under Personnel/Insurance: agenda item 20040119 remained on the consent agenda with staff direction to make an agenda notation to show Council members King and Goldstein as voting in opposition to the approval of this matter.

- under Other Business: agenda item 20050132 was added to the consent agenda for approval.

Staff pointed out that two agenda items, 20050055 and 20050143, approved in committee were inadvertently left off of the draft agenda but would be added.

This matter was Discussed.

20050142 Denial of Claim

Denial of Claim of David Mitchell

A motion was made by Council member Goldstein, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 4 - 0 - 0

Recommended for Approval - Consent Agenda

ADJOURNMENT:

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Shelia R. Hill, City Clerk

Approved: _____